

## A G E N D A

September 13, 2006 5:00 p.m.

Vice-Chairman Barrett called the meeting to order.

Roll call was taken. PRESENT – Raymond F. Callanan, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Albert Janik, Jeffrey Trottier, Kenneth J. DeCerce, Paul Sausville, Thomas Richardson, Frank Thompson, Harry G. Gutheil, Jr., Willard H. Peck, Richard C. Hunter, Sr., Thomas N. Wood, III, Cheryl Keyrouze, Joanne Dittes Yepsen, John Lawler, Arthur J. Johnson - 22. ABSENT - J. Gregory Connors – 1.

On a motion by Mr. Callanan, seconded by Mr. Grattidge, the minutes of the meeting of August 9, 2006 were approved unanimously.

Mr. Wickerham, County Administrator, reviewed the following Agenda items:

SOCIAL PROGRAMS

Authorizing a County contribution of up to \$22,000 toward the purchase of a senior van to transport resident in the Town of Halfmoon and authorizing the Chairman to sign necessary contracts to implement the purchase. (Sandi Cross, Office for the Aging Director)

Mr. Wickerham stated this will have an appropriate match from the Town of Halfmoon.

PUBLIC HEALTH

Authorizing the Chairman to enter into an amended agreement with United Cerebral Palsy to accept an additional \$46 in State aid and amending the budget in relation thereto. (Dale Angstadt, Mental Health Director)

Authorizing the Chairman to enter into an amended agreement with Franklin Community Center to accept an additional \$274 in State aid and amending the budget in relation thereto. (Dale Angstadt, Mental Health Director)

Authorizing the Chairman to enter into an amended agreement with Family and Children Services to accept an additional \$1,050 in State aid and amending the budget in relation thereto. (Dale Angstadt, Mental Health Director)

Authorizing the Chairman to enter into a contract with Royal Care Pharmacy for medications and pharmacy fees at a projected cost of \$305,000. (Diane Brown, Maplewood Manor Administrator)

Authorizing the Chairman to enter into an amended contract with HealthNow New York to expand the Medicare reimbursement to four new rates for services provided. (Diane Brown, Maplewood Manor Administrator)

Mr. Wickerham said we will realize an additional \$25,000 in revenue by expanding those coverages.

Authorizing the Chairman to enter into a contract with 6N Systems to provide clinical and financial software for Maplewood Manor at a cost not to exceed \$164,000. (Diane Brown, Maplewood Manor Administrator)

Mr. Wickerham stated this 5 year cost spreads out at \$32,000 per year.

LAND PRESERVATION

Awarding open space grants to the Towns of Clifton Park, Malta, Northumberland, Saratoga and Wilton in the total amount of \$450,133 and amending the 2006 County budget to reappropriate \$56,000 reserved for open space purchases. (Jason Kemper, Planning Director)

Mr. Wickerham said this is to fully fund all of the grants.

#### EQUALIZATION AND ASSESSMENT

Accepting a conditional tender offer in the amount of \$7,192.19 on a parcel in the Town of Saratoga. (Mark Rider, County Attorney)

Authorizing cancellation of \$5,940.10 in taxes on a parcel in the Town of Malta. (Carol Holley, Real Property Director)

Mr. Wickerham said this is adjacent to the State Park and owned by the State Park.

Authorizing foreclosure of tax lien on a property in the Village of Victory. (Mark Rider, County Attorney)

Mr. Wickerham said this is for the Box Mill.

Mr. Wickerham mentioned the County's bi-annual land auction will be held after Tuesday's Board Meeting.

#### BUILDINGS AND GROUNDS

Declaring an emergency and authorizing the Chairman to enter into a contract with Quantum Engineering Co., P.C. to design and coordinate the replacement of Maplewood Manor's kitchen wastewater system at a cost not to exceed \$15,000. (Joe Ritchey, Public Works Commissioner)

#### PUBLIC SAFETY

Recognizing Brianna Fowler from the Town of Saratoga for her generous financial contribution to the Saratoga County Animal Shelter. (Dan Butler, Animal Shelter Supervisor)

Mr. Wickerham stated this was a \$500 donation.

Authorizing the Chairman to enter into a five-year contract with the Department of Criminal Justice Services to accept an Alternative to Incarceration grant in the amount of \$37,500 annually for the period beginning January 1, 2006 and ending December 31, 2010. (Wes Carr, Youth Bureau Director)

Authorizing the Chairman to enter into an amended contract with Chazen to allow for an additional \$50,000 in radio system expenses to conduct engineering work required for the relocation of the Lakeview Radio Tower site within the Adirondack Park. (Paul Lent, Emergency Services Director)

#### ECONOMIC DEVELOPMENT

Declaring a negative declaration for the continuance of the Storm Water Management Program. (Jason Kemper, Planning Director)

Amending Agricultural District #2 to include 361 acres of land in the Towns of Malta, Greenfield and Milton and removing 49 acres in the Town of Galway. (Jason Kemper, Planning Director)

Mr. Wickerham said the 49 acres in no longer in farmland use.

#### PUBLIC WORKS

Authorizing the Board of Supervisors to accept a newly constructed bridge over the Sacandaga Reservoir at Batchellerville subject to the approval of the Commissioner of Public Works and the Chairman of the Board of Supervisors. (Joe Ritchey, Public Works Commissioner)

#### SUPERVISORS' ITEMS

Honoring the memory of Michael Nolan, former Supervisor of the Town of Saratoga. (Supervisor Tom Wood)

Honoring the memory of Joseph A. Longobardo a resident from the Town of Greenfield.  
(Supervisor Al Janik)

Mr. Wickerham said he was the State Policeman killed in an ambush.

Mr. Trottier said as a participant in Trooper Longobardo's funeral services, the EMS who were there did an excellent job.

Mr. Barrett mentioned our prayers are also with the family of Trooper Baker who was wounded as well.

#### LAW AND FINANCE

Amending the Saratoga County Policies and Procedures Manual. (Bill Baker, Personnel Director)

Accepting a \$60,500 member item from Senator Bruno relative to the Fire Training Center. (Ed Tremblay, Fire Coordinator)

Mr. Wickerham said this is for the burn building.

On a motion by Mr. Hargrave, seconded by Mr. Thompson, the meeting was adjourned.

Respectfully submitted,

Elaine M. Sodemann

REGULAR SESSION  
TUESDAY, SEPTEMBER 19, 2006  
AT 4:00 P.M., D.S.T.

Board called to order by Chairman Gutheil.

Roll call was taken. PRESENT – Raymond F. Callanan, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Albert Janik, Jeffrey Trottier, Kenneth J. DeCerce, Paul Sausville, Thomas Richardson, Frank Thompson, Harry G. Gutheil, Jr., Willard H. Peck, Richard C. Hunter, Sr., Thomas N. Wood, III, Cheryl Keyrouze, Joanne Dittes Yepsen, John Lawler, Arthur J. Johnson - 22. ABSENT - J. Gregory Connors – 1.

The invocation was given by Tom Wood, Chaplain.

PRESENTATION BY ASSEMBLYMAN ROY MCDONALD:

Assemblyman McDonald said he was in attendance on behalf of the City of Mechanicville. I will be coming back in October for the Law & Finance Committee meeting, he stated. He said he has been working with the City of Mechanicville as their representative on a variety of topics. He said it is obvious the City of Mechanicville may need some special assistance. He stated Supervisor Richardson and he had an opportunity in the late Spring to visit Senator Bruno's office, and they talked about getting financial assistance to the city, and he was very supportive and very committed to working with that in the form of \$100,000 that would be utilized for a variety of grant applications as well as planning to help revive that city now that it is almost adjacent to our new technology park. The Senator's staff said they thought it would be great if the Board of Supervisors participated in the financial assistance, he stated. He said he promised them he would seek that out, and he has been encouraged by some of the Supervisors that he has talked to in that area. Our small city, that was very profound at one time, which has a population of 5,500 people, is no longer what it once was. We have an opportunity on a small scale to use our powers in the State Legislature as well as the Board of Supervisors to help this small community do a legitimate, detailed, comprehensive plan that he has had experience with in his own town (Wilton) over the years when they did their plan. We stuck to it as Mr. Johnson has proven over and over again how successful that can be, he said. He stated he would like to see Mechanicville have that jump-start.

Assemblyman McDonald said he believes Mechanicville is at the very beginning of a tremendous turnaround with some very aggressive people – both elected officials and business people. With a little assistance from the State Legislature and the Board of Supervisors, I think we can see Saratoga County be a leader again in the area of reviving a small urban area. He said he wanted to speak to the Board before coming back to the Law & Finance Committee meeting, and he wanted to ask the Board to keep an open mind and help them with this modest request. He said this whole plan germinated through his office as he started talking to the new officials in Mechanicville who are open-minded, aggressive and ready to go. He said we can take that small community to use as a prototype for other small communities throughout the State.

Assemblyman McDonald stated this request would be for the 2007 budget, and it means a great deal to him, Senator Bruno and his staff, and to the future of that little community. He thanked the Board for the opportunity to speak today. You are the best at what you do, he added.

PUBLIC INPUT

Nancy Lamb, Executive Director of the Shelters of Saratoga. She said they are the only homeless shelter in the County that serves adult men and women over the age of 18. They serve over 250 people a year, and they have been in operation for over 14 years. Some populations they serve are the chronically homeless, severely mentally ill, chronic substance abusers, veterans, persons with physical disabilities, aids, the elderly, and victims of domestic violence. They accept referrals from the Saratoga County Department of Social Services on a daily basis regardless of their eligibility to receive emergency housing service. What sets us apart from some of the homeless shelters in the State is that we provide case management as well as

shelter, she said. Our goal is to help people transition from homelessness into self-sufficiency. We expect all clients to obtain and maintain employment if they are physically able, she said. Our case managers assist the clients in identifying the initial cause of homelessness and addressing whatever those issues may be. We provide a safe and sanitary structured living environment; the daily activities are monitored by the case managers; and we make referrals for things such as mental health, physical problems, substance abuse, domestic violence, etc. We provide food, laundry services, telephone use, and we teach daily living skills, she added. We help with resumes and interviewing skills, and provide weekly seminars from outside agencies, she said. Our goal is to help people go back into society and maintain good living and become contributing members of society. Once people do move out, we provide outreach services to transition clients so that they can maintain everything that they have gained while they were at the shelter. This reduces the recurrence of homelessness. Their program benefits the entire County, she said. Homeless people who are not stabilized cause taxpayers a lot more money for emergency room visits, hotels, unemployment and so on.

At the request of Ms. Yepsen, Mrs. Lamb gave a brief success story on one of their former clients.

Dan Tagliento, of the Town of Wilton, said he appreciates the opportunity to address the elected officials who are stewards for our treasury. He would like to suggest how the citizens of the County could be more involved with the every day running of the County. After the Board meetings are held and there are final decisions, there is no open debate by other members who wouldn't be a part of the committee on whatever subject is being discussed, and he would like to have a brief explanation given. He said for instance, at the last meeting, the Board approved additional work, a change order, for the contract for the proposed water system for \$10,000. From reading that in the minutes, he said he had no idea what the \$10,000 was for. It would have been better to have some definition to it, he said. He mentioned from doing an informal inventory on his own, the Wilton Water & Sewer Authority is keeping pace with the particular needs of the town, and Ballston has an opportunity to buy as much water as it wants from Glenville. If this water project is not going to be able to be bonded by potential users, why should we be taking money out of our surplus with the condition that it doesn't have to be repaid and that no interest is in there, he stated. It is an actual loss to our County. He said even though the minutes are on line, he encouraged the Board to provide more information on those matters that come before the Board for a vote.

#### PRESENTATIONS

Mr. Wood escorted Brianna Fowler, of the Town of Saratoga, to the podium, and Chairman Gutheil presented her with a copy of Resolution 206 that accepts the generous donation of \$500 by Brianna to be used for the purposes of the Saratoga County Animal Shelter. He also presented her with a certificate from Dan Butler, Supervisor of the Saratoga County Animal Shelter, thanking her for her recent donation. Chairman Gutheil thanked her on behalf of all of the members of the Board of Supervisors.

Jay Bodnar, of the Quaker Springs Fire Department, presented Chairman Gutheil with a flag, on behalf of Governor Pataki, that was received on September 10, 2006 at 7 World Trade Center. He stated this flag recognizes and thanks the emergency workers of Saratoga County, and it is to be displayed at the County Office Building.

Chairman Gutheil stated this flag will be framed and appropriately displayed in this Board Room. We sent two representatives down to the World Trade Center this year, and we were kind enough to receive this flag back here for our County. He thanked Mr. Bodnar for this flag.

On a motion by Mr. Peck, seconded by Mr. Thompson, the minutes of the meetings of July 18, August 15 and August 29, 2006 were approved unanimously.

The Clerk presented the following:

Acknowledgement of receipt of Local Law Nos. 6 & 7 received from the N.Y.S. Department of State.

Received and filed.

Copy of a letter of resignation from the Saratoga County Sewer Commission received from Wilbur Trieble.

Received and filed.

Copy of the IDA's notice of public hearing scheduled for 8:00 a.m. on Monday, September 28, 2006 at the Town of Malta Town Hall to take comments on an application by American Housing Foundation, Inc.

Received and filed.

Copies of resolutions entitled "Urging the Hudson River-Black River Regulating District to Ensure a Sufficient Public Review and Comment Period for Rule Making" adopted and received from the Town of Northampton, Town of Providence, and the Fulton County Board of Supervisors.

Referred to Supervisor A. Johnson and the County Administrator.

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Thank you for your concern for me during the loss of Dad. Donating to the "Meals on Wheels" Program was a fine selection.

Ken & Rachel DeCerce & Family

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REPORTS:

Adirondack Park Local Government Review Board 2005 Annual Report.

Received and filed.

On a motion by Mr. Callanan, seconded by Mr. Barrett, Rule 8 was suspended for the balance of the day on Resolution Nos. 197 through 216 by a unanimous vote.

On a motion by Ms. Raymond, seconded by Mr. Callanan, all resolutions were adopted by a unanimous vote.

RESOLUTION 197 - 06

Introduced by Supervisor Wood

HONORING THE MEMORY OF MICHAEL F. NOLAN

WHEREAS, MICHAEL F. NOLAN died on August 26, 2006; and

WHEREAS, MICHAEL F. NOLAN was a resident of the Town of Saratoga; and

WHEREAS, MICHAEL F. NOLAN was a member of the first graduating class of Siena College, and served in the U.S. Army during the Second World War; and

WHEREAS, MICHAEL F. NOLAN taught French and Latin in the Schuylerville Central School for 27 years, and worked during the summer at the Saratoga Race Course for 40 years; and

WHEREAS, MICHAEL F. NOLAN served as Mayor of the Village of Schuylerville for ten years, establishing a water commission, building a firehouse and arranging the clean up of the Old Champlain Canal; and

WHEREAS, MICHAEL F. NOLAN served the Town of Saratoga as assessor, tax collector, councilman and as Supervisor of the Town of Saratoga and a member of this Board of Supervisors from 1978 through 1981; and

WHEREAS, it is appropriate and fitting that this Board commemorate the passing of our friend, and associate; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Saratoga expresses its sense of loss and its sincere sympathies upon the death of MICHAEL F. NOLAN to his wife Betty and to his beloved family; and be it further

RESOLVED, that the Clerk of the Board forward a certified copy of this Resolution to the family of MICHAEL F. NOLAN.

#### RESOLUTION 198 - 06

Introduced by Supervisor Janik

#### HONORING THE MEMORY OF JOSEPH A. LONGOBARDO

WHEREAS, the safety, security and prosperity that citizens of Saratoga County enjoy exist due to the courage and professionalism of the men and women who have served in our law enforcement agencies, and

WHEREAS, the Saratoga County Board of Supervisors wishes to honor and memorialize the lives and courageous deeds of police officers who have served with distinction in law enforcement, and

WHEREAS, JOSEPH A. LONGOBARDO of the Town of Greenfield, served as a New York State Trooper; and

WHEREAS, JOSEPH A. LONGOBARDO was killed in Chautauqua County in the line of duty when he was shot while on a manhunt for an armed and dangerous criminal; and

WHEREAS, JOSEPH A. LONGOBARDO was a resident of the Town of Greenfield with his wife Teri and his one year old son Louis Martin Longobardo; and

WHEREAS, JOSEPH A. LONGOBARDO was an eight year veteran state trooper having been stationed in Wilton and serving on the elite Trooper Mobile Response Unit; and

WHEREAS, JOSEPH A. LONGOBARDO was a veteran of the United States Marine Corps and was a member of the New York State Air National Guard; and

WHEREAS, JOSEPH A. LONGOBARDO made the supreme sacrifice of his life in protecting the public safety and enforcing the law; and

WHEREAS, it is fitting that the heroic service and sacrifice of JOSEPH A. LONGOBARDO, for his nation and community be recognized and remembered and his memory be honored; now, therefore, be it

RESOLVED, that the 19<sup>th</sup> day of September, 2006 is hereby dedicated to the memory of JOSEPH A. LONGOBARDO, in grateful recognition by the Saratoga County Board of Supervisors on behalf of all of the citizens of the County of the service and sacrifice made by him in the preservation of law and order, and be it further

RESOLVED, that the Clerk of the Board forward a certified copy of this Resolution to the family of JOSEPH A. LONGOBARDO.

#### RESOLUTION 199 - 06

Introduced by Supervisors Hargrave, Barrett, Callanan, Grattidge, Keyrouze, Lucia and Yepsen

#### AUTHORIZING COUNTY CONTRIBUTION FOR PURCHASE OF SENIORS' VAN (HALFMOON)

WHEREAS, the County Office for the Aging administers funds for transportation of the County's elderly citizens; and

WHEREAS, the Town of Halfmoon will purchase a van for the local programs and requests partial County reimbursement; and

WHEREAS, the Director of the Office for the Aging recommends approval of this request; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors execute an agreement with the Town of Halfmoon for a County Reimbursement not to exceed \$22,000 for the town's purchase of a van for use in the

local seniors' transportation services, the form and content thereof being subject to the approvals of the Contract Administrator and the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 200 - 06

Introduced by Supervisors Daly, Callanan, Connors, Lucia, Raymond, Richardson and Thompson

AMENDING MENTAL HEALTH CONTRACT AND 2006 BUDGET TO ACCEPT ADDITIONAL STATE FUNDS

WHEREAS, Resolution 28-96, as amended by Resolution 41-97, authorized ongoing contracts for mental health services, subject to annual appropriations, with various agencies; and

WHEREAS, additional funds are available from the New York State Office of Mental Health and New York State Office of Alcohol and Substance Abuse Services; and

WHEREAS, an amendment to the current contracts with the following agencies and the 2006 Budget is necessary to accept these funds; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute amended contracts with the following agencies to provide for the indicated increase in funding for their services:

<u>ORGANIZATION</u>	<u>REVISED INCREASE</u>	<u>FUNDING TOTAL</u>	<u>LINE</u>
Family and Children's Services of the Capital Region, Inc.	\$1,050	\$151,050	NYS OASAS \$151,050
Franklin Community Center	\$ 274	\$ 39,459	NYS OASAS \$39,459
United Cerebral Palsy of the Tri Counties	\$ 46	\$ 6,543	NYS OMRDD \$6,543

and, be it further

RESOLVED, that the 2006 County Budget is amended as follows:

MENTAL HEALTH:

Appropriations:

Increase Acct. #1-43-443-8736.013 (Problem Gambling)	\$1,050
Increase Acct. #1-43-443-8735.013 (Franklin Comm. Ctr.)	\$ 274
Increase Acct. #1-43-442-8732.001 (United CP LA)	\$ 46

Revenue:

Increase Acct. #1-43-3488 (Problem Gambling)	\$1,050
Increase Acct. #1-43-3477 (Franklin Comm. Ctr.)	\$ 274
Increase Acct. #1-43-3473 (Agency Non 620)	\$ 46

and, be it further

RESOLVED, that the form and content of such contract being subject to the approval of the County Attorney and Contract Administrator.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 201 - 06

Introduced by Supervisors Daly, Callanan, Connors, Lucia, Raymond, Richardson and Thompson

AUTHORIZING AN AGREEMENT WITH ROYAL CARE, INC. TO PROVIDE PHARMACEUTICAL SERVICES TO MAPLEWOOD MANOR

WHEREAS, Maplewood Manor requires pharmaceutical services and supplies for its residents; and  
 WHEREAS, Resolution 183-00, authorized the current pharmaceutical contract; and  
 WHEREAS, proposals for a new contract were solicited and Royal Care, Inc. submitted the low proposal; now, therefore, be it

RESOLVED, that the Chairman of the Board execute a contract with Royal Care, Inc. for its provision of pharmaceutical services to Maplewood Manor through September 30, 2007 with up to five one year extensions with a projected annual expenditure of \$305,000, the form and content thereof being subject to the approvals of the County Attorney and Contract Administrator.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 202 - 06

Introduced by Supervisors Daly, Callanan, Connors, Lucia, Raymond, Richardson and Thompson

AUTHORIZING THE CHAIR TO ENTER INTO AN AMENDED CONTRACT WITH HEALTHNOW NY TO PROVIDE FOR NEW RATES

WHEREAS, Resolutions 220-04 & 75-05 authorized an Agreement with Heathnow N.Y. to establish reimbursement rates for various levels of care rendered by Maplewood Manor to its residents who are enrolled in Healthnow, N.Y.; and

WHEREAS, it is necessary to amend the Agreement to provide reimbursement at new rates for services provided; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amendment to the Agreement with Healthnow, N.Y. to provide reimbursement for services provided to Maplewood Manor residents who are enrolled in Healthnow, N.Y. at the following rates, the form and substance of the amendment subject to the approval of the County Attorney and the Contract Administrator.

Custodial care for Medicaid residents	\$165
SNF Medical	\$220
Skilled Therapy	\$250
Subacute Therapy	\$280
Subacute Rehab	\$320

BUDGET IMPACT STATEMENT: Based on current caseload this revision will generate an additional \$25,000 annually.

RESOLUTION 203 - 06

Introduced by Supervisors Daly, Callanan, Connors, Lucia, Raymond, Richardson and Thompson

AUTHORIZING THE CHAIR TO ENTER INTO A FIVE-YEAR CONTRACT WITH 6N SYSTEMS FOR CLINICAL AND FINANCIAL SOFTWARE AT MAPLEWOOD MANOR AT A COST NOT TO EXCEED \$164,257.50

WHEREAS, clinical and financial software is available which will increase record keeping efficiency at Maplewood Manor; and

WHEREAS, proposals were solicited from vendors for this software and the Director of Maplewood Manor, the Data Processing Users Committee and the Contract Administrator recommend the proposal of 6N Systems to provide this software for five years at a cost not to exceed \$164,257.50; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to enter into a Software Agreement with 6N Systems of 2 Mountain Ledge Drive, #2, Wilton, New York 12831 to provide clinical and financial software for Maplewood Manor for 5 years at a cost not to exceed \$164,257.50, the form and content of the agreement being subject to the approval of the Contract Administrator and the County Attorney.

BUDGET IMPACT STATEMENT: The actual cost represents a savings of \$131,406 within the 2006 budget.

RESOLUTION 204 - 06

Introduced by Supervisors Barrett, Peck, A. Johnson and Sausville

AWARDING FARMLAND/OPEN SPACE GRANTS AND AMENDING THE 2006 COUNTY BUDGET

WHEREAS, the Saratoga County Farmland/Open Space Preservation Program was established in 2003, to give matching grants to purchase development or other rights or outright ownership of productive agricultural and open space land; and

WHEREAS, the Farmland/Open Space Preservation Committee has entertained numerous applications for assistance funding for various purchases throughout Saratoga County; and

WHEREAS, the said Committee has reviewed the applications for funding and has recommended funding grants for the following projects; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors authorizes the payment, under the Farmland/Open Space Preservation Program, of the following amounts to the following entities for the purpose and upon the conditions stated:

1. To the Town of Clifton Park, the sum of \$100,000 upon the condition that the Town contributes funds no less than \$330,000 for an estimated total of \$430,000 for the purchase of development rights from King Crest Farm for 41+/- acres of farmland along Grooms Road in the Town of Clifton Park.
2. To the Town of Malta, the sum of \$100,000 upon the condition that the State of New York Environmental Protection Fund (EPF) contributes no less than \$350,000 and the New York State Archeological Conservation contributes no less than \$100,000 and Saratoga PLAN contributes no less than \$50,000 and the Town of Malta contributes no less than \$100,000 for an estimated total of \$700,000 for the purchase of 90+/- acres along New York State Rte. 67 in the Town of Malta;
3. To the Town of Northumberland, the sum of \$100,000 upon the condition that the Nature Conservancy contributes no less than \$154,000 for an estimated total of \$254,000 for the purchase of 101+/- acres of land along Northumberland and Wilton town line in the Town of Northumberland.
4. To the Town of Saratoga, the sum of \$61,133 upon the condition that the Open Space Institute contributes no less than \$25,000 and that Saratoga PLAN contributes no less than \$10,000 and that the Saratoga-Washington on the Hudson Partnership contributes no less than \$36,512 and a landowner donation of \$1,700 and the town contributes or obtains \$12,220 from an unspecified source for an estimated total of \$146,565 for the purchase of development rights of 32+/- acres of farmland along Wilbur and Duell Road in the Town of Saratoga.
5. To the Town of Wilton, the sum of \$89,000 upon the condition that the Nature Conservancy contributes no less than \$91,000 for an estimated total of \$180,00 for the purchase of 32+/- acres along Edie Road in the Town of Wilton; and be it further

RESOLVED, that the above required contributions may be reduced proportionately with approval of the Farmland/Open Space Preservation Committee, consistent with the intent and purpose of each grant; and be it further

RESOLVED, that the Farmland/Open Space Preservation Committee may place further conditions and requirements on said grants as it may deem necessary and advisable to fulfill the intent and purpose of the Farmland/Open Space Preservation Program; and be it further

RESOLVED, that the Chair is authorized to execute any and all agreements and other documents necessary to ensure the fulfillment of said conditions and transfer said funds, subject to the approval of the County Attorney as to form and content, and be it further

RESOLVED, that the 2006 County Budget is amended as follows:

PLANNING DEPARTMENT:

Appropriations:

Increase Acct. #1-80-000-7091.9 Acquisition of Dev. Rights \$56,000

Revenues:

Increase Acct. #1-0599.M Appropriated Fund Balance \$56,000

BUDGET IMPACT STATEMENT: This commitment to purchase development rights requires the reappropriation of \$56,000 from funds set aside in previous budget years.

RESOLUTION 205 - 06

Introduced by Supervisors M. Johnson, Grattidge, Hargrave, Hunter, Janik, Richardson and Thompson

RATIFYING EMERGENCY REPAIRS TO THE DESIGN AND COORDINATE THE REPLACEMENT OF MAPLEWOOD’S KITCHEN WASTE WATER SYSTEM

WHEREAS, on or about August 2, 2006, a blockage occurred in the sewer pipes located below the kitchen at Maplewood Manor in the Town of Ballston; and

WHEREAS, the investigation revealed that the sewer pipes were badly deteriorated and that the condition of the pipes created an emergency situation in which the sewer line had to be immediately replaced to ensure the health and safety of Maplewood Manor employees and residents; and

WHEREAS, the Chair of the Board of Supervisors, under these emergency circumstances contracted with Quantum Engineering Co., P.C. to design and coordinate the replacement of the sewer line; now, therefore, be it

RESOLVED, that this Board of Supervisors does hereby acknowledge, confirm and ratify the determination by the Department of Public Works that an emergency situation existed as a result of the deterioration in the sewer line below the kitchen at Maplewood Manor in the Town of Ballston, thereby obviating the necessity of issuing Requests for Proposals for engineering services for the design and coordination of the replacement of the sewer line; and be it further

RESOLVED, that payment is hereby authorized to Quantum Engineering Co., P.C. of 38 Thatcher Street, Selkirk, New York in an amount not to exceed \$15,000.00 for engineering services in the design and coordination of the emergency repair of the sewer line below the kitchen at Maplewood Manor.

BUDGET IMPACT STATEMENT: Funds area available in the 2006 budget.

RESOLUTION 206 - 06

Introduced by Supervisors Lawler, Barrett, Connors, Grattidge, Janik, M. Johnson, Trottier and Wood

AUTHORIZING ACCEPTANCE OF A DONATION TO SARATOGA COUNTY ANIMAL SHELTER

WHEREAS, Brianna Fowler of the Town of Saratoga was honored by Lieutenant Governor Mary O. Donohue as one the “13 Kids Who Care” for her volunteerism, and in conjunction with her selection she received \$500.00; and

WHEREAS, Brianna has generously offered to donate this award to the Saratoga County Animal Shelter; now, therefore, be it

RESOLVED, that this Board of Supervisors accepts the generous donation of \$500.00 by Brianna Fowler, to be used for the purposes of the shelter; and be it further

RESOLVED, that the Supervisor of the Saratoga County Animal Shelter take the appropriate steps to express the gratitude of the Board for this generous gift.

RESOLUTION 207 - 06

Introduced by Supervisors Lawler, Barrett, Connors, Grattidge, Janik, M. Johnson and Trottier

AUTHORIZING ACCEPTANCE OF STATE GRANTS FOR COMMUNITY WORK ORDER AND PRE-TRIAL SERVICES PROGRAMS

WHEREAS, by Resolution 106-06 this Board of Supervisors authorized acceptance of grants from the State Division of Probation and Correctional Alternatives for the year 2006; and

WHEREAS, the State Division of Probation and Correctional Alternatives has Alternatives to Incarceration (AIC) has changed its method of funding to a five year program, and an amendment of Resolution 106-06 is necessary to accept these funds; now, therefore, be it

RESOLVED, that the Chairman of the Board is authorized to execute all necessary documents with the State Division of Probation and Correctional Alternatives for application and acceptance of the following five year grants:

<u>FUND</u>	<u>PROGRAM</u>	<u>PERIOD</u>	<u>AMOUNT</u>
AIC	Community Work Order	1/1/06 - 12/31/10	\$14,062 per year
AIC	Pre-Trial Services	1/1/06 - 12/31/10	\$23,438 per year

BUDGET IMPACT STATEMENT: Revenue is already included in the 2006 budget and full value of this aid over five years will be \$187,500.

RESOLUTION 208 - 06

Introduced by Supervisors Lawler, Barrett, Connors, Grattidge, Janik, M. Johnson and Trottier

AUTHORIZING AMENDED CONTRACT WITH CHAZEN ENGINEERING TO RELOCATE RADIO TOWER SITE

WHEREAS, based on the recommendation of our consultants, modifications have been made in the design of the Emergency Radio System within the Adirondack Park in order to present a new application for a permit from the Adirondack Park Agency; and

WHEREAS, additional engineering services are needed for the relocation of the Lakeview Radio Tower site which require an amendment to the contract with the County's consultant, Chazen Engineering & Land Surveying, P.C., and the provision of additional funding therefor; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is authorized to execute an amendment to the contract with Chazen Engineering & Land Surveying, P.C. to provide for additional engineering services required for the relocation of the Emergency Radio Tower presently sited at Lakeview, at a cost not to exceed \$50,000.00, the form and substance subject to the approvals of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: Funds are available in the Radio System Budget.

RESOLUTION 209 - 06

Introduced by Supervisors Peck, Daly, DeCerco, A. Johnson, Lawler, Sausville and Yepsen

ISSUANCE OF A NEGATIVE DECLARATION PURSUANT TO ARTICLE 8 OF NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW (SEQRA) FOR THE CONTINUATION OF THE SARATOGA COUNTY INTERMUNICIPAL STORMWATER MANAGEMENT PROGRAM

WHEREAS, Saratoga County applied for and has received a NYS Department of Environmental Conservation grant for the continued implementation of the Saratoga County Intermunicipal Stormwater Management Program; and

WHEREAS, before implementation of the aforementioned program, there is a need to comply with the provisions of Article 8 of the NYS Environmental Conservation Law known as the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, by previous written communication to the NYS Department of Environmental Conservation and all other involved agencies, the County of Saratoga has established itself as Lead Agency and has determined that the implementation of this Intermunicipal Stormwater Management Program to be an "unlisted action" pursuant to New York State SEQRA regulations; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby determines, after completion of an environmental assessment form (EAF), that the continued implementation of the Saratoga County Intermunicipal Stormwater Management Program will not result in any significant adverse environmental impacts, and be it further

RESOLVED, that the Board hereby authorizes the completion, issuance and coordinated distribution of a SEQRA Negative Declaration with all involved agencies relative to the continued implementation of the Saratoga County Intermunicipal Stormwater Management Program.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 210 - 06

Introduced by Supervisors Peck, Daly, DeCerco, A. Johnson, Lawler, Sausville and Yepsen

APPROVING THE AMENDMENT OF THE BOUNDARIES OF SARATOGA COUNTY CONSOLIDATED AGRICULTURAL DISTRICT #2 TO INCLUDE 360 ACRES OF VIABLE AGRICULTURAL LAND IN THE TOWN OF MALTA, GREENFIELD AND MILTON AND APPROVING THE REMOVAL OF 49 ACRES IN THE TOWN OF GALWAY

WHEREAS, New York State Agriculture and Markets Law Section 25-AA allows landowners with viable agricultural lands to petition the County Board of Supervisors to be included in agricultural districts; and

WHEREAS, the Board of Supervisors has received a petition from Peter Balet landowner in the Town of Malta that has 161+/- acres of viable agricultural land on Nelson Avenue Extension that is dedicated to commercial horticulture, floriculture and wood products; and

WHEREAS, the Board of Supervisors has received a petition from Lou Faraone landowner in the Town of Malta to add 73+/- acres of viable agricultural land on East High Street that is dedicated to the production of beef and wood products; and

WHEREAS, the Board of Supervisors has received a petition from Robert Eichorst landowner in the Town of Greenfield and Milton to add 126+/- acres of viable agricultural land on Main Street and LeRoux Road that is dedicated to the production of hay, corn and wood products; and

WHEREAS, the Board of Supervisors has received a petition to remove 49 acres the lands of VanWort a landowner in the Town of Galway along NYS Route 29; and

WHEREAS, the Saratoga County Planning Board and Agricultural Farmland Protection Board have submitted a report to the Board of Supervisors recommending the inclusion of lands of Balet, Faraone and Eichorst into Saratoga County Consolidated Agricultural District #2 and the removal of 49 acres of the lands of VanWort in the Town of Galway from said District, and having held a public hearing on July 17, 2006 at which time there were no objections to said petitions; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby approves the inclusion of the Balet, Faraone and Eichorst lands consisting of 161 acres on Nelson Avenue Extension in the Town of Malta and 73 acres on Malta Avenue in the Town of Malta and 126 acres in the Towns of Greenfield and Milton on

Main Street and LeRoux Roads into Saratoga County Consolidated Agricultural District #2 and to remove 49 acres of land in the Town of Galway along NYS Rte 29 out of Saratoga County Consolidated Agricultural District #2.

BUDGET IMPACT STATEMENT: No budget impact.

Discussion on Res. 211:

Chairman Gutheil said as we accept this Batchellerville Bridge over the Sacandaga, there are no guarantees down the road what will happen with that bridge. It will be decisions based on future Boards. This resolution actually gives these people a lot more time for the life span of the new bridge that will be built. Beyond that, this Board is not making any agreements to bind future Boards, he said. He stated as history looks back upon us, it is important that this is in the record.

RESOLUTION 211 - 06

Introduced by Supervisors Thompson, Barrett, Hunter, Janik, Keyrouze, Lucia and Peck

AGREEING TO ACCEPT NEW BRIDGE OVER SACANDAGA RESERVOIR AFTER ITS CONSTRUCTION BY N.Y.S.D.O.T.

WHEREAS, the Batchellerville Bridge was constructed in 1930 by the Hudson River Regulating District, and carries Saratoga County Road 7 across the Great Sacandaga Reservoir; and

WHEREAS, due to its age the said Bridge is nearing the end of its useful life, and is in need of replacement; and

WHEREAS, New York State, through its Department of Transportation (NYSDOT) has obtained funds and is willing to remove the existing bridge and undertake the design and construction of a new bridge across the Sacandaga Reservoir to replace the existing Batchellerville Bridge to carry Saratoga County Road 7 over the Reservoir; and

WHEREAS, if the said bridge is constructed, NYSDOT is not allowed by law to maintain or repair it, as it is not located on the state highway system; and

WHEREAS, NYSDOT has requested that Saratoga County agree to accept ownership of the new bridge, once it is completely and satisfactorily constructed; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby agrees that, upon the removal of the Batchellerville Bridge and the satisfactory completion of the design and construction of a new bridge over the Sacandaga Reservoir at or near the site of the existing Batchellerville Bridge by the New York State Department of Transportation, Saratoga County will accept ownership of the new bridge; and be it further

RESOLVED, that the Chair of the Board is authorized to execute any and all agreements and documents necessary to document this agreement, the form and substance subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 212 - 06

Introduced by Supervisors Barrett, DeCerco, Hargrave, A. Johnson, M. Johnson, Peck and Wood

AMENDING COUNTY POLICIES AND PROCEDURES MANUAL

WHEREAS, Resolution 330-82 adopted a manual of Policies and Procedures for the conduct of County government; and

WHEREAS, since adoption, Board of Supervisors has enacted several amendments to the Manual; and

WHEREAS, the annual review of the Manual, mandated by §104-b of the General Municipal Law, has disclosed the appropriateness of other incidental revisions; and

WHEREAS, copies of this proposal were provided to each member of this Board; and

WHEREAS, implementation of any legislative revisions to the Manual requires the approval of the Board; now, therefore, be it

RESOLVED, that the following sections of the Saratoga County Policies and Procedures Manual are amended as more particularly described in the Personnel Officer's proposal:

<u>CHAP./SECTION</u>	<u>TITLE</u>	<u>LAST AMENDED</u>
1 A	Use and Maintenance of County Owned Vehicles	98-138
1 N	Information Technology	96-140
2 H	Regulations for Contracts and Spending	04-164
2 I	Notification Policy for Breach of Private Information Security	NEW
4 E	Health Insurance	94-184
4 J	Workers' Compensation	94-184

and, be it further

RESOLVED, that the Personnel Department distribute copies of these amendments to all County departments and agencies.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 213 - 06

Introduced by Supervisors Lawler, Barrett, Connors, Grattidge, Janik, M. Johnson and Trottier

AUTHORIZING ACCEPTANCE OF A LEGISLATIVE MEMBER ITEM GRANT AND AMENDING THE BUDGET

WHEREAS, a Senate legislative member item grant secured by Senator Joseph Bruno in the amount of \$60,500 is available for construction of the new Fire Training Center, and

WHEREAS, the acceptance of this grant requires Board of Supervisors approval and an amendment of the 2006 Budget; now therefore, be it

RESOLVED, that the Chair of the Board execute all documents necessary to apply for and accept a Senate legislative member item grant in the amount of \$60,500 for the construction of the new Fire Training Center; and be it further

RESOLVED, that the 2006 County Budget is amended as follows:

EMERGENCY SERVICES DEPARTMENT/FIRE

Appropriations:

Increase Acct. #1-36-363-7093 Bldg. Construction cost \$60,500

Revenues:

Increase Acct.: #1-36-3390 Burn Bldg. Grant \$60,500

BUDGET IMPACT STATEMENT: None. 100% State Aid from Senator Bruno.

RESOLUTION 214 - 06

Introduced by Supervisors Hunter, DeCerco, Grattidge, Hargrave, M. Johnson, Keyrouze and Yepsen

AMENDING RESOLUTION 36-06 AND AUTHORIZING CONVEYANCE OF TAX ACQUIRED LANDS TO THE WELLS FARGO BANK

WHEREAS, Resolution 36-06 authorized conveyances of lands, including parcel

#157.71-1-1 & #157.70-6-1 (now #157.70-6-2) in the Town of Saratoga, acquired by real property tax foreclosure to former owners or their designees upon payment of all amounts owed to the County including taxes, penalties, interest and charges; and

WHEREAS, the Wells Fargo Bank foreclosed its mortgage on parcel #157.71-1-1 & #157.70-6-1 (now #157.70-6-2) and has received a Referee's Deed in foreclosure for said parcel; and

WHEREAS, the nominal owners of parcel #157.71-1-1 & #157.70-6-1 (now #157.70-6-2), William H. Mosso and Heidi L. Mosso, no longer have any interest in the parcel; and

WHEREAS, the Wells Fargo Bank tendered the required amount of \$7,192.19, being the taxes, interest, penalties and charges due; and

WHEREAS, it is necessary to amend Resolution 36-06 to authorize conveyance of parcel #157.71-1-1 & #157.70-6-1 (now #157.70-6-2) to the Wells Fargo Bank instead of William H. Mosso and Heidi L. Mosso; now, therefore, be it

RESOLVED, that Resolution 36-06 be and the same is amended to authorize conveyance of parcel #157.71-1-1 & #157.70-6-1 (now #157.70-6-2) in the Town of Saratoga to the Wells Fargo Bank, instead of William H. Mosso and Heidi L. Mosso; and be it further

RESOLVED, that the Chair of the Board of Supervisors convey parcel numbered #157.71-1-1 & #157.70-6-1 (now #157.70-6-2) in the Town of Saratoga by quitclaim deed to the Wells Fargo Bank.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 215 - 06

Introduced by Supervisors Hunter, DeCerce, Grattidge, Hargrave, M. Johnson, Keyrouze and Yepsen

CANCELING TAXES IN THE TOWN OF MALTA

WHEREAS, County, Town and fire district taxes and school relevies were improperly assessed and billed to the State of New York for state owned property in the Town of Malta; and

WHEREAS, it is necessary to cancel said taxes; now, therefore, be it

RESOLVED, that the tax liens on the following property be and the same is hereby cancelled:

<u>TOWN</u>	<u>SBL</u>	<u>TAX YEAR</u>	<u>LIEN AMOUNT TO BE CANCELED</u>
Malta	204.-1-41.11	2005	\$3,147.68
		2006	\$2,792.42

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 216 - 06

Introduced by Supervisors Hunter, DeCerce, Grattidge, Hargrave, Johnson, Keyrouze and Yepsen

AUTHORIZING FORECLOSURE OF TAX LIEN ON PARCEL IN THE TOWN OF SARATOGA AND SALE BY SEALED BID

WHEREAS, Tax parcels 170.38-2-1, 170.30-2-27.1 and 170.30-2-26.1 formerly belonging to Victory Specialty, Inc. and located in the Village of Victory and in the Town of Saratoga is an industrial site which contains contaminants which cause it to come under the jurisdiction of the New York State Department of Environmental Conservation; and

WHEREAS, the owners of this property have failed for many years to pay the real property taxes thereon, and there is the sum of \$430,177.86 due and owing in delinquent taxes on said property; and

WHEREAS, the Saratoga County Tax Enforcing Officer has withdrawn said property from the tax enforcement proceeding pursuant to Real Property Tax Law §1138 on the grounds that, if the County took title to the property through tax foreclosure, the County would become a Responsible Party under the law

and required to remediate the site, at a cost which would exceed the likely recovery if the property were sold at auction; and

WHEREAS, by Resolution 160-03 this Board authorized an Agreement with Municipal Liens, Inc. to clean the property up by August 31, 2003; and

WHEREAS, Municipal Liens, Inc. is in default of the terms and conditions of said agreement in that it has failed to complete assessment and remediation of the environmental conditions on the property as required by its agreement; and

WHEREAS, the Tax Enforcing Officer has requested authority pursuant to §1138 of the Real Property Tax Law to restore the property to the tax enforcement proceeding and to obtain a Judgment which would authorize its sale at public auction and conveyance directly to the highest bidder, thus avoiding the County becoming a Responsible Party for any remediation; now, therefore, be it

RESOLVED, that the Agreement between Municipal Liens, Inc. and Saratoga County is hereby declared terminated due to the failure of Municipal Liens, Inc. to fulfill the terms and conditions of the Agreement; and be it further

RESOLVED, that that Saratoga County Tax Enforcing Officer is authorized and directed to reinstate tax parcels 170.38-2-1, 170.30-2-27.1 and 170.30-2-26.1 in the Town of Saratoga to the Delinquent Tax Foreclosure Proceeding, and to complete the foreclosure of delinquent tax liens thereon, and thereupon to sell the said parcel by sealed bid and to convey same to the highest bidder, upon further approval of this Board.

BUDGET IMPACT STATEMENT: This amount includes all appropriate penalties and interest.

Mr. DeCerce said the PCB Dredging Committee will be meeting tomorrow morning, 8:00 a.m., to see the first rendition of the materials that are coming forth from the L.A. Group.

Mr. DeCerce stated all Supervisors should have received a request from him to attend a groundbreaking for the new Halfmoon Town Hall on September 26<sup>th</sup> at 10:30 a.m. at the present Town Hall, and from there, we will show you where the new Town Hall is going to be.

Mr. Hunter stated the County property auction will be held tonight at 5:30 p.m.

Ms. Keyrouze said if anyone in the audience, or the public, has any questions with what the Board is working on, she will be glad to answer them, and if she doesn't have the answers, she will find the answers.

Ms. Keyrouze thanked the Supervisors of Edinburg and Day for giving her a tour of their towns yesterday. It was quite an adventure, she said.

Mr. Lawler said the Board as been following closely the efforts to secure a permit from the APA for the radio towers. We are moving fairly well with that. We had hoped to be on the October agenda, but we have been pushed back to November. We will be on the Directors' agenda for a November vote to consider our application for a permit, he said.

Mr. Lawler said he has a series of letters regarding additional work that needs to be completed in the Sheriff's Office for the installation of the new consoles. I believe that's scheduled for October 1<sup>st</sup>, he stated. He said he has a copy of a letter from the Sheriff asking Public Works to do some internal repairs. There was some issue about budget, he said. I am not sure where that lies now, but the installation date is still October 1<sup>st</sup>, so are we on track having that issue settled? County Administrator David Wickerham said we will not hold up any installation. The money all comes from the same place, he said.

Chairman Gutheil stated the Water Agency appointments will be moved further into the fall. We have not had any water contracts signed as of this date. I am optimistic this will happen between now and the next Board meeting, he said.

On a motion by Mr. Lucia, seconded by Mr. Thompson, the meeting was adjourned.

Barbara J. Plummer, Clerk